

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 7:21-cv-00059-M

SHAWN LA'DERRICK HILL,

Plaintiff,

v.

J. M. BUONICONTI, individually,
EDWARD J. MCMAHON, officially as the
Sheriff of New Hanover County, and
THE OHIO CASUALTY INSURANCE
COMPANY, as part of Liberty Mutual
Group, Inc.,

Defendants.

ORDER

These matters come before the court on the New Hanover County and New Hanover County Sheriff's Department's Joint Motion to Dismiss [DE 11] and Edward J. McMahon's Motion to Dismiss First Amended Complaint [DE 28]. On June 29, 2021, Plaintiff filed a Second Amended Complaint in accordance with Rule 15(a)(2) of the Federal Rules of Civil Procedure (DE 30), and on July 6, 2021, Defendant McMahon filed a Motion to Dismiss Second Amended Complaint (DE 33). Accordingly, the present motions to dismiss are DENIED AS MOOT. *See Fawzy v. Wauquiez Boats SNC*, 873 F.3d 451, 455 (4th Cir. 2017) ("Because a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case,

it renders the original complaint ‘of no effect.’”) (citation omitted).

SO ORDERED this 18th day of January, 2022.

A handwritten signature in blue ink, reading "Richard E. Myers II". The signature is written in a cursive style with a large initial "R" and a stylized "II" at the end.

RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE